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January 24, 2018

Ms. Victoria Rutson
Chief, Office of Environmental Assessment
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423

**RE: Docket No. AB-55 (Sub-No. 777X), CSX Transportation, Inc.—Abandonment
Exemption—in Fulton County, GA**

Dear Ms. Rutson:

Enclosed please find a copy of the Georgia Department of Natural Resources' Historic Preservation Division ("HPD") letter dated January 24, 2018, finding no adverse effect if certain language requiring Historic Preservation Division review of the line be included in any line transfer documentation.

On January 4, 2018, CSX Transportation, Inc. ("CSXT") filed a letter with the Surface Transportation Board agreeing to negotiate interim trail use/rail banking with the Atlanta BeltLine, Inc. for the 4.4-mile line between milepost XXC0.0, which begins at the switch to the Norfolk Southern Railway Company at the Oakland Junction near Ormewood Station and milepost XXC 4.4, near Glenwood Avenue, SE, in Atlanta, GA (the "Line"). CSXT expects to transfer the Line to the Atlanta BeltLine. Since the transfer will be pursuant to 16 U.S.C. 1247(d), the Line will remain subject to the Board's jurisdiction and the Line will remain subject to Federal control. Therefore, the premise for the condition sought by HPD will not be triggered.

In addition, the condition proposed by HPD is vague at best because the extent of the A&WP Rail Road referred to by HPD is undefined and any restrictions are subject to review by HPD. CSXT asks HPD to clarify the meaning of the A&WP Rail Road.

CSXT recommends that the Board impose a condition requiring CSXT to notify the Board if it intends to consummate the abandonment of the Line, and concurrently request HDP to propose how to provide for the long-term preservation of the A&WP Rail Road.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Melanie B. Yasbin", written in a cursive style.

Melanie B. Yasbin
Attorney for CSX Transportation, Inc.

Enclosure



HISTORIC PRESERVATION DIVISION

MARK WILLIAMS
COMMISSIONER

DR. DAVID CRASS
DIVISION DIRECTOR

January 24, 2018

Gene Payne
Manager, Joint Facilities
CSX Transportation, Inc.
500 Waters Street, J-315
Jacksonville, Florida 32202

**RE: CSX: Abandon 4.4 Miles, Milepost XXC 0.0 to XXC 4.4, Oakland Junction to
Glenwood Avenue, Atlanta
Fulton County, Georgia
HP-180108-002**

Dear Mr. Payne:

The Historic Preservation Division (HPD) has reviewed the information submitted concerning the above referenced project. Our comments are offered to assist the Surface Transportation Board and CSX Transportation, Inc. in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

The subject project consists of the abandonment of 4.4 miles of Atlanta and West Point (A&WP) rail line from milepost XXC 0.0 at Oakland Junction to milepost XXC 4.4 at Glenwood Avenue in Atlanta, including removal of track material. Based on the information provided and as noted in the draft document entitled, *Georgia's Railroads, 1833-1983: Historic Context and Statewide Survey*, HPD finds that the A&WP Rail Road is eligible for listing in the National Register of Historic Places (NRHP), under Criteria A and C for Industry, Transportation, Engineering, and Architecture and that the six (6) bridges and one (1) tunnel are contributing to the NRHP-eligible resource. Additionally, in accordance with 36 CFR Part 800.5, the "[t]ransfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance" is, by definition, an adverse effect. However, it is HPD's opinion that the subject project, as proposed, will have **no adverse effect** to historic properties within its area of potential effects (APE), as defined in 36 CFR Part 800.5(b), **provided the following condition is met:**

1. Within the transfer documentation, provide for legally enforceable restrictions to ensure the long-term preservation of the A&WP Rail Road, including review by our office of any future project(s) to ensure no change in the effects assessment. Draft restriction documentation should be provided to HPD for review and comment prior to finalization.

Please refer to project number **HP-180108-002** in any future correspondence on this project. If we may be of further assistance, please do not hesitate to contact me at (770) 389-7851 or jennifer.dixon@dnr.ga.gov.

Sincerely,

Jennifer Dixon, MHP, LEED Green Associate
Program Manager
Environmental Review & Preservation Planning

cc: Allison Duncan, Atlanta Regional Commission